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PATENT
450106-02645

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Tetsujiro KONDO et al.
Serial No. : 09/807,114
For : TRANSMITTING APPARATUS, TRANSMITTING AND RECEIVING METHOD, RECORD MEDIUM, AND SIGNAL
Filed : June 15, 2001
Examiner : Kimnhung T. Nguyen
Art Unit : 2203

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Technology Center 2600

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New York, NY 10151

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450**, on September 24, 2004.

William S. Frommer, Reg. No. 25,506

Name of Applicant, Assignee or Registered Representative

Signature

September 24, 2004

Date of Signature

**RESPONSE TO REQUIREMENT FOR
ELECTION OF SPECIES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action which issued in the above-identified application on August 24, 2004, requiring an election of species among those species identified by the Examiner as follows:

Species I, Figs. 1-27; and

Species II, Figs. 28-55.

Applicants elect, without traverse, Species I, Figs. 1-27. It is respectfully submitted that the claims that are directed to the elected species are claims 1-21 and 38-44, 46-48 and 65-77.

Of the claims that read on the species elected herein, claims 1-6, 9-14, 21, 38-44, 46-48 and 65-77 are generic: they read on both of the species identified by the Examiner. Accordingly, if any of these generic claims eventually is allowed, it is recognized that the instant requirement for an election of species will be withdrawn; and all claims which include the limitations of the generic claims, irrespective of the particular species on which those claims read, likewise will be allowed.

Applicants reserves their right to file a divisional application, if necessary, so as to proceed with the examination of the non-elected claims.

An early examination on the merits of the claims of this application are respectfully solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:


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WSF:lf